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PATENT TRADEMARK OFFICE

Docket No.: 3795/0J514US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Harold COTE, et al.

Serial No.: 09/891,875

Group Art Unit: 3713

Filed: June 25, 2001

Examiner: not yet assigned

For: COMPUTER GAMBLING GAME

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PETITION UNDER 37 C.F.R. §1.47(a)

**Box DAC**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a petition to permit the assignee of the above-identified patent application  
to make the application for patent on behalf of itself and a non-signing inventor under 37 C.F.R.  
§ 1.47.

It respectfully requested that the Patent and Trademark Office permit this application  
to be made by INGENIO, filiale de Loto-Québec Inc. on behalf of Harold Côté who has refused to  
execute the Declaration and Power of Attorney of the application.

INGENIO, filiale de Loto-Québec Inc. is the owner of this patent application and the

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**OFFICE OF PETITIONS**

underlying invention by an assignment from Harold Côté and Stephan Giard in corresponding application PCT/CA99/01228 filed on December 12, 1999 . The relevant assignment accompanies this petition.

Upon information and belief, the pertinent facts are as follows:

The last known address for non-signing inventor Harold Côté is 1728 Rue St-Christophe, Montreal, Quebec, CANADA H2L 3W8.

On or about July 23, 2001, the office of the undersigned forwarded a copy of the present patent application including the drawings, and Declaration and Power of Attorney for execution by Harold Côté and Stephan Giard. (Exhibit A)

July 26, 2001, the office of the undersigned was informed by way of email that Harold Côté refused to sign the Declaration because of certain language in the declaration that he objected too. (Exhibit B)

On September 20, 2001, the undersigned sent an amended Declaration and Power of Attorney for execution by Harold Côté and Stephan Giard. (Exhibit C)

To date an executed Declaration and Power of attorney has not been received for filing in response to the attached copy of the Notice to File Missing Parts (Exhibit D), based on Harold Côté's ongoing refusal to sign the Declaration and Power of Attorney.

Neither INGENIO, filiale de Loto-Québec Inc nor the undersigned received any further response from Mr. Côté..

To date, Harold Côté has not signed the declaration and is therefore effectively refusing to sign the application.

This petition is necessary to preserve the rights of the signing inventor, Stephan Giard and assignee, INGENIO, filiale de Loto-Québec Inc., in this application.

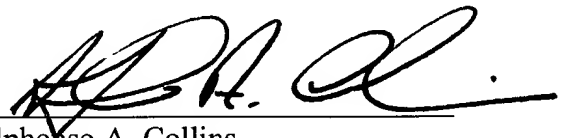
A check for the fee set forth in 37 C.F.R. §1.17(h) in the amount of \$130.00 is enclosed. The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 04-0100.

Unless the Patent and Trademark Office permits this application to be made by the assignee, on behalf of the non-signing inventor, the right to obtain a United States patent for the underlying invention will be lost.

For the reasons set forth above and in light of the facts set forth in the accompanying Declarations of Harold Côté and Stephan Giard, it is respectfully requested that the Patent and Trademark Office grant this petition and permit this application to be made by INGENIO, filiale de Loto-Québec Inc. on behalf of the non-signing inventor.

Respectfully submitted,

Dated: March 15, 2002



Alphonso A. Collins  
Reg. No. 43,559  
Attorney for Applicant(s)

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